

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

LOS ANGELES UNIFIED SCHOOL
DISTRICT.

OAH CASE NO. 2012101030

ORDER GRANTING MOTION TO
AMEND COMPLAINT AND
VACATING HEARING DATES FOR
COMPLAINT

On October 25, 2012, Parent on behalf of Student (Student) filed a Due Process Hearing Request (complaint), naming Los Angeles Unified School District (District). On February 21, 2013, Student and District stipulated to Student's filing a First Amended Complaint, and Student filed a Motion to Amend the Due Process Hearing Request and a First Amended Complaint (amended complaint).

An amended complaint may be filed when either (a) the other party consents in writing and is given the opportunity to resolve the complaint through a resolution session, or (b) the hearing officer grants permission, provided the hearing officer may grant such permission at any time more than five (5) days prior to the due process hearing. (20 U.S.C. §1415(c)(2)(E)(i).)¹ The filing of an amended complaint restarts the applicable timelines for the due process hearing. (20 U.S.C. §1415(c)(2)(E)(ii).)

¹ All statutory citations are to Title 20 United States Code unless otherwise indicated.

Student's Motion to Amend is timely as it is based upon the parties' stipulation, and is granted. The amended complaint shall be deemed filed as of the date of this order. All hearing dates for the complaint are vacated. All applicable timelines shall be reset as of the date of this order. OAH will issue a scheduling order with the new dates.

IT IS SO ORDERED.

Dated: February 21, 2013

/s/

EILEEN COHN
Administrative Law Judge
Office of Administrative Hearings